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* Admitted in NY only
** Admitted in TX only

PT05 Rec'd PCT/PTO : 5 OCT 2002

October 15, 2002

Box PCT
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No.: 10/031,722
(National Phase of International Application No. PCT/US00/20272)
I.A. Filing Date: July 25, 2000
Applicants: Tibor Keler, *et al.*
Title: HUMAN MONOCLONAL ANTIBODIES TO HER2/NEU
Attorney Docket No.: MXI-160US

Dear Sir:

Enclose herewith for filing in the above-identified application the following:

1. Response to Notification of Missing Requirements (1 sheet);
2. A Copy of Form PCT/DO/EO/905 (Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)) (2 sheets);
3. Two (2) Executed Declaration, Petition and Power of Attorney documents (2 documents that are 3 sheets each (6 total sheets));
4. Sequence Listing Transmittal Letter (1 sheet);
5. Sequence Listing (10 sheets);
6. Diskette containing Sequence Listing; and
7. Return acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

"Express Mail" mailing label number EL 946 477 895 US

Date of Deposit October 15, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Box PCT, Washington, DC 20231

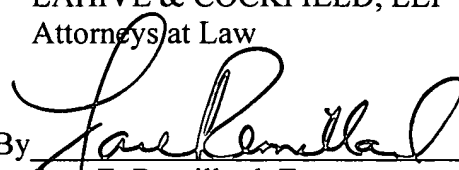
Signature

Nelson F. Barros

Please Print Name of Person Signing

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By


Jane E. Remillard, Esq.
Reg. No. 38,872
28 State Street
Boston, MA 02109
617-227-7400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Tibor Keler, *et al.*

Serial No.: 10/031,722

I.A. Filing Date: July 25, 2000

For: HUMAN MONOCLONAL ANTIBODIES TO
HER2/NEU

Attorney Docket No.: MXI-160US

Group Art Unit:

Examiner:

Commissioner for Patents
Box PCT
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. §371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Dear Sir:

Responsive to the *Notification of Missing Requirements Under 35 U.S.C. §371* dated August 12, 2002, Applicants' attorney submits herewith the two (2) executed Declaration, Petition and Power of Attorney documents for the above-referenced patent application. Also enclosed are a Sequence Listing Transmittal Letter; a paper copy of the Sequence Listing (10 sheets); a computer readable diskette containing the Sequence Listing; a copy of Form PCT/DO/EO/905; and a return postcard.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

"Express Mail" mailing label number EL 946 477 895 US

Date of Deposit October 15, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Box PCT, Washington, DC 20231

Nelson Barros
Signature

Nelson F. Barros

Please Print Name of Person Signing

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By

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UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,722	Tibor Keller	MXI-160US

INTERNATIONAL APPLICATION NO.

PCT/US00/20272

I.A. FILING DATE	PRIORITY DATE
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07/25/2000

07/29/1999

 Jane E Remillard
 Lahive & Cockfield
 28 State Street
 Boston, MA 02109

DOCKETED

 ✓ Oct 12, 2002 Missing ref. by listing
 Nov 13, 2002 ESP WIS

CONFIRMATION NO. 6148

371 FORMALITIES LETTER



OC00000008608752

Date Mailed: 08/12/2002 ✓

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration

RECEIVED LAHIVE & COCKFIELD DOCKET DEPT. AUG 19 2002 RETRIEVED: 8/19/02 FORWARDED: 8/19/02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

COPY

The following items **MUST** be furnished within the period set forth below:

- o The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- o For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 305-3693

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,722	PCT/US00/20272	MXI-160US